

OPINION
56-111

May 15, 1956 (OPINION)

SPECIAL SCHOOL DISTRICTS

RE: Must Remain Open When

In your letter of May 10, 1956, you request an opinion as to whether a special school district must keep open and maintain a graded school within its district when the majority of the six or more pupils regularly attending such school is composed of non-residents of the district. You make reference to section 15-29081 of the 1953 Supplement.

We believe that "average attendance of pupils therein" within section 15-29081 does not refer to residents of the district, especially in view of the provisions of section 15-29082, as amended. Thus it is our opinion that the school in issue may not be discontinued so long as any six or more pupils on an average attend such school for ten consecutive days.

LESLIE R. BURGUM

Attorney General